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07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO.: CR02-0046-RSL
10 Plaintiff,)
11 v.) SUMMARY REPORT OF U.S.
12 SCOTT JAMES CLANCY,) MAGISTRATE JUDGE AS TO
13 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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15 An initial hearing on supervised release revocation in this case was scheduled before me
16 on September 28, 2005. The United States was represented by AUSA Janet Freeman and the
17 defendant by Carol Koller. The proceedings were recorded on cassette tape.

18 Defendant had been sentenced on or about September 18, 2002 by the Honorable Robert
19 S. Lasnik on a charge of Fraudulent Use of a Person's Identification, Access Device Fraud, Bank
20 Fraud and sentenced to 32 Months and Seven Days Custody, 5 years Supervised Release.

21 The conditions of supervised release included requirements that defendant comply with all
22 local, state, and federal laws and with the standard conditions of supervision. Other special
23 conditions included no firearms, submit to search, participate in a mental health program, provide
24 access to financial information, provide information to probation officer regarding any business
25 interests, disclose all assets and liabilities to probation officer, allow inspection of personal
26 computer, notify probation officer of all software purchases, do not work for cash, have all

01 employment approved by probation officer, do not possess identification documents in any but
02 true name, and restitution in the amount of \$186,342.28. (Dkt. 28)

03 In an application dated February 14, 2005, U.S. Probation Officer Robin L. Elliott alleged
04 the following violations of the conditions of supervised release:

05 1. Failing to follow the instructions of the probation officer on or about February 28,
06 2005 in violation of standard condition 3.

07 2. Failing to notify the probation officer of change of residence, in violation of
08 standard condition 6.

09 Defendant was advised in full as to those charges and as to his constitutional rights.

10 Defendant admitted alleged violation 2 and waived any evidentiary hearing as to whether
11 it occurred. Defendant denied alleged violation 1.

12 I therefore recommend the Court find defendant violated his supervised release as alleged
13 in violation number 2 and that the Court conduct an evidentiary hearing on violation 1 and on the
14 disposition of violation number 2. The next hearing will be set before Judge Lasnik.

15 Pending a final determination by the Court, defendant has been released to a half way
16 house..

17 DATED this 28th day of September, 2005.

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20 Mary Alice Theiler
21 United States Magistrate Judge

22 cc: District Judge: Honorable Robert S. Lasnik
23 AUSA: Janet Freeman
24 Defendant's attorney: Carol Koller
25 Probation officer: Brian K. Facklam
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